

## **FECA's Florida Legislative Report**

### **February 17, 2023**

The official start of the 2023 Legislative Session will be Tuesday, March 7, 2023. This week is the fifth of six scheduled committee weeks before the start of session. Session lasts a total of 60 days and is scheduled to end on May 5, 2023.

A total of 919 bills have been filed at this point. The opening day of session is the last day for members to file bills. This week's focus was primarily on finalizing presentations of the Governor's recommended budget. These recommendations provide a blueprint for the legislature to consider as both the House and Senate begin crafting the 2023/2024 appropriations act. The only constitutional requirement of the legislature is to pass a budget.

Last Thursday, SB 626 was filed by Senator Nick DiCeglie relating to rural electric cooperatives. The bill would open up our enabling statute, Chapter 425, to provide a communication services provision (i.e., broadband), and it would expand PSC pole attachment jurisdiction to include electric cooperatives that provide broadband. The bill has been referred to Regulated Industries, Commerce & Tourism, and Rules committees. Currently there is no House companion bill. We met with the sponsor, Senate Majority Leader, and Rules Chairman to express our concern. Senate Leadership encouraged us to offer compromise language that would be more acceptable to electric cooperatives providing broadband services. As we work to develop proposed language, we ask that everyone hold off on reaching out to your territory legislators until a draft is offered to key stakeholders and legislators.

The Tallahassee Youth Tour was held on Wednesday and Thursday. We hosted 120 high school juniors, representing 9 co-ops from around the state. They participated in a mock trial at the Supreme Court as well a mock session in the Senate. Speaker Renner and Chief of Staff Allison Carter addressed the group in the House chamber followed by Sen. Cory Simon. Students were also able to individually meet with Speaker Pro Temp Chuck Clemmons, Rep. Michelle Salzman, Rep. Jason Shoaf, Rep. Shane Abbott, and Sen. Doug Broxson.

The House Select Committee on Hurricane Resiliency & Recovery has requested FECA to provide a presentation on electric cooperative restoration efforts for both Hurricanes Ian and Nicole. The presentation is scheduled for Thursday, February 23. As of yet, we have not been contacted about appearing before the Senate's corresponding committee, but we anticipate addressing the committee in the next couple weeks.

Below are bills of interest filed thus far. Moving forward each week, the report will prioritize in the following manner: new legislation filed, priority, monitor, and tracking. If you would like more detailed information or an explanation of any legislation or why it is located in a specific area, please do not hesitate to reach out to Drew or Mike.

### **NEW LEGISLATION FILED**

## **Florida Hometown Hero Housing Program**

(SB 772 / HB 771)

**Sponsors:** Sen. Davis / Rep. Nixon

**Summary:**

The bill creates a housing program, to be administered by the Florida Housing Finance Corporation, authorizing the corporation to underwrite and make loans to frontline emergency workers, certain medical and health personnel, and educators to purchase a primary residence home. A purchaser may reduce the amount of the down payment and closing cost they pay by a maximum of 5% of the first mortgage loan or \$25,000, whichever is less. The loans must be available at a 0% interest rate. This is available to persons or families with incomes not exceeding 150% of the state or local medium income, whichever is greater. Eligible borrowers would include electric lineman, or an employee of a public utility or an electric utility whose primary job responsibilities are to install and/or maintain systems for the utility as well as other emergency workers.

**Committee Assignments:**

SB 772 \_\_:

HB 771 \_\_:

**ACTION RECOMMENDED: NEUTRAL**

## **Renewable Energy Cost Recovery**

(SB \_\_ / HB 821)

**Sponsors:**

Sen. \_\_ / Rep. Yeager

**Summary:**

The authorizes an IOU to recover in rates prudently incurred renewable natural gas and hydrogen fuel infrastructure project costs through the proper PSC cost-recovery procedure.

**Committee Assignments:**

SB \_\_:

HB 821:

**ACTION RECOMMENDED: NEUTRAL**

**PRIORITY**

## **Rural Electric Cooperatives**

(SB 626 / HB \_\_)

**Sponsors:** Sen. DiCeglie / Rep. \_\_

**Summary:**

The bill would open up our enabling statute, Chapter 425, to include the express power to provide communication provision (i.e., broadband). All poles owned by a cooperative that provides broadband service directly, in a partnership with a third party, or receives broadband grant funding from any federal or state program, which expands broadband internet service to unserved areas of the state, would be regulated by the PSC under Chapter 366.04(8) as an investor-owned utility.

**Committee Assignments:**

SB 626: Regulated Industries; Commerce & Tourism; Rules

HB\_\_\_:

**ACTION RECOMMENDED: OPPOSE**

**MONITOR**

### **Unmanned Aircraft Systems Act**

(SB 908 / HB 645)

**Sponsors:** Sen. Rodriguez / Rep. Brackett

**Summary:**

The bill deletes a provision requiring a person or government entity, seeking to restrict or limit the use of drones in close proximity to owned infrastructure or facilities, from having to apply to the Federal Aviation Administration for the designation.

**Committee Assignments:**

SB 908:

HB 645: Transportation & Modals; Criminal Justice; Infrastructure Strategies

**ACTION RECOMMENDED: NEUTRAL**

### **Trees and Other Vegetation within Rights-of-way**

(SB 108 / HB 55)

**Sponsors:** Sen. Rodriguez/Rep. Garcia

**Summary:**

The bill provides that the current prohibition against the removal, cutting, marring, defacing or destruction of trees or other vegetation within the rights-of-way of roads of the state highway system does not apply if the Department of Transportation (DOT) suspends the prohibition due to a declared state of emergency. It requires DOT to adopt guidelines related to the removal process for debris from an emergency that is subject to an emergency declaration such as a hurricane or tropical storm.

**Committee Assignments:**

SB 108: Transportation; Community Affairs; Rules

HB 55: Transportation & Modals; Constitutional Rights, Rule of Law & Government Operations; Infrastructure Strategies

**ACTION RECOMMENDED: SUPPORT**

### **Energy Equity Task Force**

(SB 680 / HB 293)

**Sponsors:** Sen. Davis / Rep. Hinson

**Summary:**

This bill would create the Energy Equity Task Force who would provide recommendations to Florida Department of Agriculture and Consumer Services for fostering a fair and equitable transition of the state's energy infrastructure to renewable technologies within minority, underserved, rural and low-income communities. The task force would consist of a minimum of 11 members reflecting ethnic and gender diversity of the state. The Commissioner of Agriculture will appoint: 1) four representatives from minority, underserved, rural or low-income communities from different regions of the state; 2) at least one environmental justice expert; 3) at least one representative from the electrical workers profession;

4) at least two energy industry liaisons representing utility and solar energy interests; 5) at least one representative from a statewide environmentally focused group; 6) one appointed by the President of the Senate and one Speaker of the House. The task force must recommend policies for the equitable siting of energy infrastructure throughout the state including siting of utility-scale and industrial solar arrays. In addition, the taskforce must examine strategies to assist minority underserved, rural and low-income communities in transitioning to energy efficiency programs. The task force would be required to present a report to the Governor, Commissioner of Agriculture, the President of the Senate, and the Speaker of the House by September 30, 2024.

**Committee Assignments:**

SB 680: Regulated Industries; Agriculture, Environment & General Government Appropriations; Fiscal Policy

HB 293: Energy, Communications & Cyber Security; Agriculture & Natural Resources Appropriations; Commerce

**ACTION RECOMMENDED: NEUTRAL**

**TRACKING**

**United States – Produced Iron and Steel in Public Works Projects**

(SB 304 / HB\_\_)

**Sponsors:** Sen. Boyd / Rep. \_\_

**Summary:**

This bill provides that a governmental entity entering into a contract for a public works project or for the purchase of materials for a public works project must include in such contract a requirement that any iron or steel product used in or purchased for the project must be produced in the United States. Exemptions from this requirement include: 1) sufficient quantities or satisfactory quality of the iron or steel products needed are not produced in the United States; 2) the cost to use products produced in the U.S. would increase the total cost of the project by more than 20 percent; and 3) compliance is inconsistent with public interest.

**Committee Assignments:**

SB 304: Government Oversight & Accountability; Appropriations Committee on Agriculture, Environment & General Government; Fiscal Policy

SB 304: Government Oversight & Accountability; Agriculture, Environment & General Government Appropriations; Fiscal Policy

HB\_\_:

**ACTION RECOMMENDED: NEUTRAL**

**Requiring Broader Public Support for Constitutional Amendments or Revisions**

(SJR\_\_ / HJR 129)

**Sponsors:** Sen. \_\_ / Rep. Roth

**Summary:**

This joint resolution would propose a constitutional amendment to increase the percentage of elector votes required to approve an amendment to the State Constitution from 60 percent to 66.67 percent.

The repeal of an amendment or revision need only be approved by the same percentage elector votes as required at the time of passage of amendment or revision.

**Committee Assignments:**

SJR\_\_:

HJR 129: Ethics, Elections & Open Government; Judiciary; State Affairs

**ACTION RECOMMENDED: NEUTRAL**

**Energy**

(SB 284 / HB\_\_)

**Sponsors:** Sen. Brodeur/Rep. \_\_

**Summary:**

The bill revises the selection criteria for purchasing or leasing vehicles for a state agency, universities, community colleges, and local governments under the state purchasing plan. It removes the provision requiring the use and procurement of ethanol and biodiesel blended fuels and requires the Department of Management Services, before July 1, 2024, to make recommendations to all state agencies, universities, community colleges, and local governments regarding the procurement of electric and natural gas fuel vehicles and best practices for integrating these vehicles into existing fleets.

**Committee Assignments:**

SB 284: Governmental Oversight & Accountability; Appropriations Committee on Agriculture, Environment & General Government; Fiscal Policy

HB\_\_:

**ACTION RECOMMENDED: NEUTRAL**